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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,999	06/30/2003	Hideki Yamanaka	1341.1156	8195
21171	7590	07/30/2007	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			ADDY, THJUAN KNOWLIN	
		ART UNIT	PAPER NUMBER	
		2614		
		MAIL DATE		DELIVERY MODE
		07/30/2007		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/607,999	YAMANAKA, HIDEKI
	<b>Examiner</b>	<b>Art Unit</b>
	Thjuan K. Addy	2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 June 2003 and 30 September 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 June 2003 and 30 September 2003 is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 06/30/03.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Sikora et al (US 6,449,646).
2. In regards to claims 1, 11, and 21, Sikora discloses a transaction allocation apparatus, method, and computer program that selects an operator (See Fig. 1 and resource/agent 14), from among a plurality of operators, to process a transaction received from a customer (See Fig. 1 and transaction initiator 12) and allocates the transaction to the operator selected (See col. 3 lines 36-46), the transaction allocation apparatus comprising: a storing unit (See Fig. 2, ACD 20, and agent list 70) that stores status information that is information relating to whether each of the operator is engaged in processing of a transaction (e.g., busy) or standby (e.g., idle) at this time (See col. 5 lines 17-29); a standby state deciding unit that decides, based on the status information, which operators are standby at the time the transaction is received from the customer; a standby time estimating unit that estimates, when the standby state deciding unit has

decided that no operator is standby, based on the status information, a standby time for each operator that is a time after which the operator is going to become standby; and an operator selecting unit (See Fig. 3, resource allocation logic 160, and resource list 162) that if the standby state deciding unit has decided that an operator is standby, selects the operator who is standby as the operator to process the transaction, or if the standby state deciding unit has decided that no operator is standby, selects an operator based on the standby time for each operator as the operator to process the transaction (See col. 7-8 lines 50-7, col. 9-10 lines 44-9, and col. 11 lines 11-31).

3. In regards to claims 2, 12, and 22, Sikora discloses the transaction allocation apparatus, method, and computer program, wherein the storing unit stores an estimate time for each operator, which is a time taken by the corresponding operator to process the transaction the operator is processing at this time, and also stores a start time, which is a time at which the operator has started the processing of the transaction the operator is processing at this time, and the standby time estimating unit estimates the standby time based on a current time, the start time, and the estimated time (See col. 5 lines 8-16 and col. 11 lines 11-31).

4. In regards to claims 3, 13, and 23, Sikora discloses the transaction allocation apparatus, method, and computer program, wherein if the standby state deciding unit has decided that no operator is standby, the operator selecting unit selects an operator with shortest standby time as the operator to process the transaction (See col. 8 lines 8-34 and col. 9-10 lines 44-9).

5. In regards to claims 4, 14, and 24, Sikora discloses the transaction allocation

apparatus, method, and computer program, wherein if the standby state deciding unit has decided that no operator is standby, the operator selecting unit selects an operator from among operators with standby times not more than a predetermined first time as the operator to process the transaction (See col. 8 lines 8-34 and col. 9-10 lines 44-9).

6. In regards to claims 5, 15, and 25, Sikora discloses the transaction allocation apparatus, method, and computer program, further comprising: a canceling unit that cancels allocation of the transaction to the operator selected if the operator selected does not start processing the transaction within a predetermined time, wherein if allocation of the transaction is canceled by the canceling unit, the standby state deciding unit repeats the decision on which operators are standby (See col. 10 lines 48-56).

7. In regards to claims 6, 16, and 26, Sikora discloses the transaction allocation apparatus, method, and computer program, wherein the transactions are received via any one of telephone, chat, and e-mail (See col. 3-4 lines 63-16), the storing unit stores the status information separately for the transactions received via the telephone, chat, and e-mail, and the standby state deciding unit performs the decision on which operators are standby separately for the transactions received via the telephone, chat, and e-mail based on the respective status information (See col. 6 lines 3-8).

8. In regards to claims 7, 17, and 27, Sikora discloses the transaction allocation apparatus, method, and computer program, further comprising: a skill level storing unit that stores a skill level of each operator that is an expertise of the operator in processing transactions; and an extracting unit that extracts, when the transaction is received,

operators whose skill levels exceed the skill levels required to process the transaction based on the skill levels stored, wherein the standby state deciding performs the decision on which operators are standby from among the operators extracted by the extracting unit (See col. 7-8 lines 60-7).

9. In regards to claims 8 and 18, Sikora discloses the transaction allocation apparatus and method, further comprising: a relaxed candidate extracting unit that relaxes the skill level required to process the transaction, if the standby state deciding unit has decided that no operator is standby, and repeats the extraction of operators, wherein the standby state deciding unit performs the decision on which operators are standby from among the operators extracted by the relaxed candidate extracting unit (See col. 7-8 lines 60-7).

10. In regards to claims 9 and 19, Sikora discloses the transaction allocation apparatus and method, wherein the operator selecting unit selects an operator whose skill level exceeds the skill level required to process the transaction by minimum as the operator to process the transaction, from among operators with standby times not more than a predetermined third time (See col. 7-8 lines 60-7).

11. In regards to claims 10 and 20, Sikora discloses the transaction allocation apparatus and method, wherein the operator selecting unit selects an operator whose skill level exceeds by minimum the skill level relaxed from the skill level strictly required to process the transaction as the operator to process the transaction, from among operators with standby times not more than a predetermined fourth time (See col. 7-8 lines 60-7).

***Conclusion***

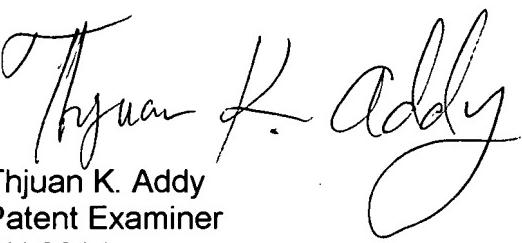
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. McPartlan et al (US 7,043,007) teach a system and method to allocate transactions. Nishikawa et al (US Patent Application, Pub. No.: US 2002/0143592 A1) teach a reception management system and method of handling transactions. Durinovic-Johri et al (US 6,263,065) teach a method and apparatus for simulating central queue for distributing call in distributed arrangement of automatic call distributors.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Thjuan K. Addy  
Patent Examiner  
AU 2614